

Congress of the United States
Washington, DC 20510

February 1, 2013

The Honorable Margaret Hamburg
Commissioner
U.S. Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20093

Dear Commissioner Hamburg:

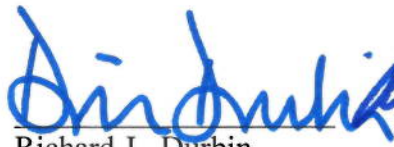
We write to follow-up on your November 21, 2012, letter summarizing the steps the Food and Drug Administration (FDA) will take to strengthen the Agency's understanding of energy drinks and their health risks, particularly for vulnerable populations, such as children. We commend the FDA for reviewing the safety of energy drinks, including engaging with specialized expertise and relevant professional groups outside FDA and holding public meetings. We look forward to learning details of this safety review and its findings, which may require FDA to take further action.

Further, we would like to draw your attention to an article published today in *Pediatrics in Review*, an official journal of the American Academy of Pediatrics, which outlines recent evidence surrounding energy drinks consumed by adolescents. The article states that, "the energy drink market has grown to its current size by being focused predominantly on adolescents...with 35% of teenagers regularly consuming energy drinks." The piece describes energy drinks as making claims about ingredients that lack scientific evidence and containing high, unregulated, and undisclosed amounts of caffeine that may lead to significant health risks for adolescents. The article concludes that, "given the unknown levels of caffeine and other poorly studied additives [in energy drinks], there is significant risk associated with energy drink consumption that may outweigh the benefits in the adolescent consumer." This article follows a new report by the Substance Abuse and Mental Health Services Administration (SAMHSA), which found that between 2007 and 2011, emergency room visits related to the consumption of this energy drinks doubled from 10,068 to 20,793.

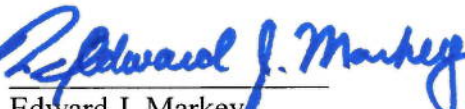
Energy drinks and products, such as energy shots, gels, gums, powders, and even maple syrup, that contain high levels of caffeine and stimulants, are a new and growing market. In light of the emergence of these novel products and evidence that consuming large quantities of caffeine, particularly for young people, can have serious health consequences, including caffeine toxicity, stroke, anxiety, arrhythmia, and in some cases death, FDA's safety review of energy drinks and risks associated with consuming high levels of caffeine could not be more critical to protect the public's health.

Thank you for your consideration of these concerns. We look forward to the results of the safety review and discussing these important consumer protection issues further.

Sincerely,


Richard J. Durbin


Richard Blumenthal


Edward J. Markey